

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-17-065/070
KS-AG-R-17-007
KS-Q-17-049/054
KS-NQ-17-006

Beginning Date: May 11, 2017
Comments Due: June 10, 2017

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-17-065

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant

**Bison Rush Genetics, LLC
3330 CR310
Bison, KS 67520**

Owner of Property Where Facility Will Be Located

**Bison Rush Genetics, LLC
PO Box 220
Carthage, IL 62321**

Legal Description

**SW/4 of Section 03
T16S, R17W
Rush County**

Receiving Water

Smoky Hill River Basin

Kansas Permit No.: A-SHRH-H001

Federal Permit No.: KS0093360

This is notification KDHE has received a complete permit application for the modification and operation of a swine waste management facility capable of housing 11,586 head (1,158.6 animal units) of swine weighing less than 55 pounds each and 12,822 head (5,128.8 animal units) of swine weighing more than 55 pounds each. The complete application can be viewed at the office of the Rush County Clerk, the KDHE Northwest District Office in Hays, Kansas or the KDHE Main Office in Topeka, KS. A permit to operate the proposed swine waste management system will not

be issued without additional public notice.

Public Notice No. KS-AG-17-066/070

Pending Permits for Confined Feeding Facilities

<u>Name And Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Bison Rush Genetics, LLC PO Box 220 Carthage, IL 62321	SW/4 of Section 03 T16S, R17W Rush County	Smoky Hill River Basin

Kanas Permit No.: A-SHRH-H001

Federal Permit No.: KS0093360

This permit is being reissued for a confined animal feeding operation. The facility will be capable of housing 11,586 head (1,158.6 animal units) of swine weighing less than 55 pounds each and 12,822 head (5,128.8 animal units) of swine weighing more than 55 pounds each. This represents an increase in the permitted animal units from the previous permit. The permit also contains modifications consisting of three proposed enclosed swine buildings, a new animal mortality compost facility and four existing finishing buildings and two existing earthen wastewater retention structures. This facility has an approved Nutrient Management Plan on file with KDHE.

Randy and Becky Dean
Jewell County Feeders, LLC
1026 Q Road
Mankato, KS 66956

SW/4 of Section 10
T03S, R09W
Jewell County

Solomon River Basin

Kansas Permit No.: A-SOJW-C001

Federal Permit No.: KS0119695

This is a renewal permit for an existing facility for 6,500 head (6,500 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted number of animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Carlen Busenitz
14231 NW 60th St.
Whitewater, KS 67154

SE/4 of Section 33
T24S, R03E
Butler County

Walnut River Basin

Kanas Permit No.: A-WABU-B020

This is a renewal permit for an expanding facility for 995 head (995 animal units) of cattle weighing more than 700 pounds and 10 head (4 animal units) of swine weighing more than 55 pounds, for a total of 999 animal units. This represents an increase in the permitted animal units from the previous permit. This permit is being reissued. The permit contains modifications consisting of proposed additional cattle pens, manure stockpile area, animal mortality composting area, sediment basin, and extraneous drainage channel.

Kevin Mercer
Mercer Dairy LLC
428 N. Bluff Road

SE/4 of Section 24
T31S, R04W
Sumner County

Lower Arkansas River
Basin

Argonia, KS 67004

Kanas Permit No.: A-ARSU-M004

This permit is being reissued for an existing facility with a maximum capacity of 100 head (140 animal units) of mature dairy cattle. There is no change in the permitted animal units from the previous permit cycle.

Michael Watts
Watts Dairy
21350 Jackson Road
Chanute, KS 66720

SW/4 of Section 20
T27S, R19E
Neosho County

Neosho River Basin

Kanas Permit No.: A-NENO-M012

This permit is being reissued for an existing facility with a maximum capacity of 65 head (91 animal units) of mature dairy cattle and 25 head (12.5 animal units) of dairy calves, for a total of 103.5 animal units of dairy cattle. There is no change in the permitted animal units from the previous permit cycle.

Public Notice No. KS-AG-R-17-007

Per Kansas Statutes Annotated 65-171d, the following Registration(s) have been received for proposed confined feeding facilities:

Name And Address of Registrant

Joseph A. Hermes
946 O Road
Goff, KS 66428

Legal Description

N/2 of SW/4 of Section 21
T04S, R13W

County

Nemaha

Public Notice No. KS-Q-17-049/054

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.

NAME AND ADDRESS OF APPLICANT

Bucklin, City of
PO Box 458
Bucklin, KS 67834

RECEIVING STREAM

Rattlesnake Creek via
West fork Rattlesnake Creek

TYPE OF DISCHARGE

Treated Domestic
Wastewater

Kansas Permit No. M-AR13-OO01

Federal Permit No. KS0026166

Legal Description: SE¼, SE¼, SW¼, S4, T29S, R21W, Ford County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, and pH.

Clay Center Public Utilities Commission
427 Court Street
Clay Center, KS 67432

Huntress Creek

Groundwater
Remediation Project

Kansas Permit No. I-LR05-PO02

Federal Permit No. KS0093351

Legal Description: NE¼, SW¼, S8, T8S, R3E, Clay County, KS

Facility Name: Clay Center Groundwater Remediation Project PWS #2

Facility Location: 8th & McBrathney Streets, Clay Center, KS 67432

The proposed action is to reissue an existing permit for discharge during a groundwater remediation project. The City of Clay Center is engaged in a groundwater remediation project of Public Water Supply Well No. 2. The tetrachloroethylene contaminated groundwater is treated by an air stripper prior to discharging to Huntress Creek. The proposed permit contains limits for tetrachloroethylene, as well as monitoring for nitrate, total phosphorus, and flow.

Clay Center Public Utilities Commission
427 Court Street
Clay Center, KS 67432

Huntress Creek via
Drainage Channel

Process Wastewater

Kansas Permit No. I-LR05-CO02

Federal Permit No. KS0093459

Legal Description: NE¼, S7, T8S, R3E, Clay County, KS

Facility Name: Clay Center Power Plant

Facility Location: 4th & Clay Streets, Clay Center, KS 67432

The proposed action is to reissue an existing Kansas/NPDES permit for an existing facility. This facility is a standby electrical generating station used for peaking and emergency power consisting of five dual-fuel combustion engines and two steam turbines. Well water from two on-site wells are used in inter-coolers for once-through cooling. The inter-coolers either directly discharge to the Industrial Park area drainage channel or discharge to the sanitary sewer. An inter-cooler bypass line is also provided to allow additional well water to commingle with the inter-cooler water for temperature stabilization. The inter-cooler discharge is seasonal and occurs from mid-June to mid-September. The proposed permit contains limits for temperature, as well as monitoring for total suspended solids, total phosphorus, total recoverable lead, and flow.

Clearwater, City of
PO Box 453
Clearwater, KS 67026

Ninnescah River

Treated Domestic
Wastewater

Kansas Permit No. M-AR22-OO01

Federal Permit No. KS0022365

Legal Description: SW¼, SE¼, SE¼, S26, T29S, R2W, Sedgwick County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, chlorides, and pH. Contained in the permit is a schedule of compliance requiring the permittee to submit an operations review and a schedule to bring plant into consistent compliance if the facility is not able to meet all permit limits through September 2018.

Harshman Construction LLC

Long Creek via

Pit De-Watering &

1632 F P Road
Cedar Point, KS 66843

Frog Creek via
Unnamed Tributary

Stormwater Runoff

Kansas Permit No. I-MC57-PO02

Federal Permit No. KS0098914

Legal Description: S19, T19S, R15E, Coffey County, KS

Facility Name: Freund Quarry

The proposed action is to reissue an existing Kansas/NPDES permit for discharge during a quarrying operation. This is a limestone quarrying and crushing operation with no washing. Outfall 001A1 consists of pit drainage and storm-water runoff, which discharges after being treated in the quarry pit. The proposed permit contains generic language to protect Waters of the State.

Lafarge Midwest Inc.
1400 S Cement Road
Fredonia, KS 66736

Fall River via
Salt Creek

Pit De-Watering &
Stormwater Runoff

Kansas Permit No. I-VE18-PO02

Federal Permit No. KS0088242

Legal Description: W½, NW¼, S11, T29S, R14E, Wilson County, KS

Facility Name: Lafarge Clay Pit

The proposed action is to reissue an existing Kansas/NPDES permit for discharge during a quarrying operation. The facility is a clay quarrying operation. Stormwater runoff and pit water is directed to a settling pond for treatment, before discharge. The proposed permit contains generic language to protect waters of the state.

St. Marys, City of
PO Box 130
St. Marys, KS 66536

Doyle Creek

Groundwater
Remediation Project

Kansas Permit No. I-KS67-PO05

Federal Permit No. KS0090280

Legal Description: NE¼, S16, T10S, R12E, Pottawatomie County, KS

Facility Name: City of St. Marys Park Well Pumping Project

Facility Location: 420 South 7th Street, St. Marys, KS 66536

The proposed action is to reissue an existing permit for discharge during a groundwater remediation project. Nitrate contaminated groundwater is pumped from the Park Well to contain a contamination plume which is migrating toward Public Water Supply Well No. 7. The contaminated ground water is discharged to Doyle Creek without any treatment. The water is also applied at agronomic rates to recreational fields during the irrigation season. The proposed permit requires monitoring of nitrates and flow.

Public Notice No. KS-NQ-17-006

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g).

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>LEGAL LOCATION</u>	<u>TYPE OF DISCHARGE</u>
Lakeside Village Improvement District 9887 Main Street Ozawkie, KS 66070	SE¼, NE¼, NW¼ S20, R18E, T10S	Non-Overflowing

Kansas Permit No. M-KS56-NO02

Federal Permit No. KSJ000219

This action consists of reissuing an existing Kansas Water Pollution Control Permit for existing non-overflowing facility. Contained in the permit are provisions for the permittee to irrigate effluent. The permittee is to submit soil analyses of area to be irrigated. The proposed permit requires monitoring for biochemical oxygen demand, total suspended solids, ammonia, E. coli, total phosphorus, pH, flow and water level in final cell.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before ***June 10, 2017***, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-17-065/070, KS-AG-R-17-007, KS-Q-17-049/054, KS-NQ-17-006) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.